

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 BRETT SEARS,

4 Plaintiff

5 v.

6 STEPHEN SISOLAK,

7 Defendant

Case No.: 2:20-cv-00890-APG-BNW

**Order Accepting Report and  
Recommendation and Dismissing Case**

[ECF No. 7]

8 On July 21, 2020, Magistrate Judge Weksler recommended that this case be dismissed  
9 without prejudice because plaintiff Brett Sears did not pay the filing fee as ordered. ECF Nos. 6,  
10 7. Sears did not file an objection and he did not pay the filing fee. Thus, I am not obligated to  
11 conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring  
12 district courts to “make a de novo determination of those portions of the report or specified  
13 proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114,  
14 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings  
15 and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Weksler’s report and recommendation  
17 **(EF No. 7) is accepted** and plaintiff Brett Sears’ complaint (ECF No. 1-1) is DISMISSED  
18 without prejudice. The clerk of court is instructed to close this case.

19 DATED this 13th day of August, 2020.

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21 ANDREW P. GORDON  
22 UNITED STATES DISTRICT JUDGE  
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